

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

RAYMOND SUAREZ,

Plaintiff,

v.

Civil Action No. 3:18cv128

NANCY A. BERRYHILL,
Acting Commissioner
of Social Security,

Defendant.

ORDER

Having reviewed the REPORT AND RECOMMENDATION of the Magistrate Judge entered herein on January 28, 2019 (ECF No. 13), the Plaintiff's objections thereto (ECF Nos. 16 and 18), the DEFENDANT'S RESPONSE TO PLAINTIFF'S OBJECTIONS TO THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION (ECF No. 19), and having considered the record and the REPORT AND RECOMMENDATION and finding no error therein, it is hereby ORDERED that:

(1) The Plaintiff's objections (ECF Nos. 16 and 18) to the REPORT AND RECOMMENDATION are overruled;

(2) The REPORT AND RECOMMENDATION of the Magistrate Judge (ECF No. 13) is adopted on the basis of the reasoning of the REPORT AND RECOMMENDATION;

(3) The Plaintiff's Motion for Summary Judgment (ECF No. 10) is denied;

(4) The DEFENDANT'S MOTION FOR SUMMARY JUDGMENT (ECF No. 11) is granted; and

(5) The Commissioner's decision is affirmed.

It is further ORDERED that the issues are adequately addressed by the briefs and oral argument would not materially aid the decisional process.

Any appeal from this decision must be taken by filing a written notice of appeal with the Clerk of the Court within sixty (60) days of the date of entry hereof. Failure to file a timely notice of appeal may result in the loss of the right to appeal.

The Clerk is directed to send a copy of this Order to the plaintiff.

It is so ORDERED.

/s/ REP
Robert E. Payne
Senior United States District Judge

Richmond, Virginia
Date: February 25, 2019